

INDIANA LEGISLATURE.

[Omissions and corrections of this report for want of space in the columns will appear on an appendix to Volume XXII of the *Brevier Legislative Reports*.]

IN SENATE.

Tuesday, Feb. 3, 1885—10 a. m.
Hon. Francis Johnson, a Senator from the county of Tippecanoe, appeared in his seat, after being confined to his house by sickness for fourteen weeks.

CONVICT LABOR.

Mr. JOHNSON, of Tippecanoe, offered a joint resolution (S. 8) proposing an amendment to the Constitution of the State of Indiana by the insertion of Article 17, forbidding the hiring out of the labor of the convicts of the penitentiaries and inmates of the reformatory institutions of the State, and providing for the regulating the employment of said convicts and inmates, which was read the first time and referred to the Committee on Labor and Labor Statistics.

Mr. WILLARD, stating that he has heretofore working on the bill, moved to suspend the order of business that he might introduce two bills which the Senator from Jasper (Mr. Hoover) left with a request that they be presented to the Senate.

The motion was agreed to, and for Mr. Hoover he introduced the bill (S. 254) for the encouragement of life time convicts in the State Prisons, and providing that twenty five years shall constitute a life sentence in the State Prisons of Indiana. Also the bill (S. 255) to amend Section 4 of the act of March 8, 1883, concerning the behavior and conduct of convicts. The bills were read and referred to the Committee on Penitentiaries.

ATTORNEYS' FEES IN NOTES.
Mr. Smith's bill (S. 41) to make void attorneys' fees in instruments of writing coming up on the second reading.

Mr. SMITH: The reason I introduced this bill is not because I have an antipathy to the payment of notes containing such an agreement, but because there is a growing abuse of the attorney fee law to such an extent that it warrants legislative interference. And if this Legislature did nothing else than to prohibit the entering into such agreements it would do a wise and judicious thing. One continuously growing abuse of the present provision is that persons will make an agreement with the holder of the note in many cases to pay back a portion of the attorney fee. It seems to me this bill was not fairly considered in the committee. I do not wish to impugn the motives of the Judiciary Committee, but I would like to have an opportunity to appear before it and explain the reason why I introduced this bill. The practice under the present statute is carried to such an extent that it is bringing the legal profession into disgrace. It is said that it would be unwise and unwise to enact this bill into a law, for the reason that the party who loans money should not be put to the expense of collecting the note and paying attorneys' fees. Where a party loans money, if he expects to have to sue for it he would never loan a dollar; and if a man loans money, expecting to bring a suit to enforce the collection of it, he is not a safe man to do business, and there should not be a law which would enable him to collect attorneys' fees. Another objection urged against the bill is that it would drive capital out of the State. Men who have money to loan and foreign corporations who loan money in this State are more magnanimous than some of our own citizens. I undertake to say there is not a note executed in this State to a non-resident but what specifies in the note the amount of the attorney's fee. Another objection to this bill may be that it is not constitutional. If any Senator is laboring under an impression of that kind, I want to say that this bill was drawn up by a good lawyer and there is in the State of Indiana, it seems to me it is within the power of the Legislature to say whether or not such a contract shall be illegal or void.

Mr. ADKISON: What effect would the bill have upon foreign corporations inserting five per cent. in their notes?
Mr. SMITH: I don't think it would drive a single cent out of the State. I believe it would put every person upon an equal footing. There should be a law enacted that every person granting a note should stipulate the attorney fee to be paid. I believe it would be a good thing.

Mr. SELLERS: I rise to a point of order. I see upon examination of this bill which the Senator has introduced that it does not comply with one of the rules of the Senate—the one which requires all bills to refer to the section of the Revised Statutes sought to be amended. I move that it be recommitted.

Mr. SMITH: I have not examined the bill carefully, and it was drawn by a person who is not acquainted with the rules of the Senate. I will consent to the motion to recommit to the Judiciary Committee.

SEVERAL SENATORS—"Regular order."
Mr. WILLARD: I think we had better go on with the business we have been doing this morning, for the reason that there is no quorum present.

SCHOOL FUND INTEREST.
Mr. Huston's bill (S. 20) to authorize school moneys to be loaned at 6 or 7 per cent. when 8 per cent. cannot be obtained, coming up on the second reading with an unfavorable majority and a favorable minority report from a committee.

Mr. HUSTON: The statute requires each county to lay in the State Treasury 8 per cent. on all school fund moneys held by the county under the distribution of that fund. There are counties where it is impossible to make loans of this kind at 8 per cent. interest, and the result is the money is lying idle, practically, yet the county is required to pay the 8 per cent. into the State Treasury every year. Union County, one of the smallest counties in the State, for years has been unable to loan the school fund moneys. The Treasurer has had these funds in his possession, and the Commissioners of the county are not allowed to use it. The fact is, a bank is being run in the lower part of this State having for its basis the unloaned school fund of that county. The county could loan this fund out at 6 or 7 per cent. This bill provides simply that that where in any county, that it is impossible to make loans of the school moneys at 8 per cent., the County Auditor, after having gained the consent of the Board of County Commissioners, is authorized to make loans of this fund at any rate of interest not less than 6 per cent. It would enable Union County, instead of paying 8 per cent. on twenty or thirty thousand dollars, if she could loan this money at 2 per cent. to pay simply 2 per cent. back to the State Treasurer. This bill does not in any sense release the county from the payment of 8 per cent. interest into the State Treasury. It seems to me the counties who have endured the hardships spoken of under the present law are entitled to relief. Two years ago 95 per cent. of these school moneys was loaned out. Some Senators may say there is an urgent demand for money at 8 per cent. interest, but in a few counties that demand does not exist, and I think it no more than right that relief should be given them. This bill, I think, is surrounded with safeguards. No County Auditor would loan this money at 6 per cent.

if a higher rate could be obtained. It would be no argument against this bill to say that the County Auditor, in collusion, might loan the school fund at 6 per cent. The law provides that only \$1,000 can be loaned to one person, and suppose some Auditor should favor a friend with a loan of \$1,000 at 6 per cent., that is only \$20 a year, and I hardly think the average County Commissioner would resort to stealing just to make \$20 for a friend. I think this bill will be found to work satisfactorily, and I hope the minority report will be adopted.

Mr. MCINTOSH: The committee had doubts about the workings of this bill, and feared it would cause the taxpayers to make up a certain amount of interest that would be lost under its provisions. As has been suggested, there is not a quorum in the Senate probably, so I move the further consideration of the bill be postponed until Friday, at 11 o'clock, and made the special order for that hour. The committee was afraid the County Commissioners and parties who wish to borrow money would consider the matter and loan the school fund at a lower rate of interest when it might be loaned at the regular rate; yet was not sure but the workings of it would upset some of the provisions of the school law, and with these doubts the majority of the committee reported against the passage of the bill.

Mr. WHITE: I regard this as an important measure, and I hope it will secure a very full and fair consideration. I am not one of those inclined to think the Auditors or any other officers are rascals, or that there is any general tendency to dishonesty on the part of County Commissioners. The county five per cent. has been paying interest at the rate of 8 per cent. on \$25,000 for five years, and I understand this bill simply permits the loaning of the school moneys at 6 per cent. interest, and the county makes up the balance to 8 per cent., which is paid into the State Treasury. This is the first time I have heard of this bill, and I know nothing of it except from the Senator's statement, I favor the motion to postpone.

It was agreed to.

TEACHERS' INSTITUTES.
Mr. Brown's bill (S. 129) to provide an additional county institute fund, coming up on the second reading.

Mr. OVERSTREET: The law now provides that a certain sum of money may be appropriated by the County Commissioners to pay the expenses of county institutes, and this bill is adding an additional sum to that. It doesn't limit the County Superintendent to what the Board of Commissioners allow, but the pending bill is to increase the amount the County Commissioners may lay toward the expense of holding a County Teachers' Institute. I think the amount raised from the teachers under this bill ought to be applied so as to diminish the amount paid by the County Commissioners; otherwise we would be duplicating what is to be paid for county institutes. I hope the bill will not be ordered engrossed for the third reading, but that it will be left open for amendment at the proper time.

Mr. BROWN: This bill is intended to provide a fund for the holding of County Teachers' Institutes, and it is one of the people of the county. There is one bill in the Senate and two bills in the House providing that there shall be an additional money tax out of the county treasury. This bill provides that each teacher shall pay fifty cents into a county institute fund. The object of the bill is to provide a fund to hold county institutes. It will prevent a large number of scholars attending school from applying for an examination to obtain teachers' licenses and have their papers referred to the County Superintendent, and that much to the expense of the county. \$4 a day for the time the Superintendent occupies in examining these papers. In our county it costs not less than \$100 for the examining of applications from parties who apply for licenses but do not intend to teach. They have to pay fifty cents for an examination they will not burden the County Superintendent so much as now with their application papers.

Mr. SMITH, of Jay: I believe there ought to be an examination of teachers' papers by the County Superintendent. I understand the County Superintendent is to examine what shall constitute a day's work for the examination of teachers' papers, for which they shall receive \$4. In my judgment, if there is a fraud practiced in the State of Indiana at all, it is in the examination of teachers' papers. I believe the County Superintendent receives \$4 a day, and I am opposed to placing the burden of these teachers' institutes upon the teachers, for if there is a class of people in the State earning every cent they get, and do more work for the money than any other class, and if the common school teacher. My judgment is that the law in reference to the County Superintendent examining teachers' manuscripts should be regulated in some way, or changed so that when they examine these manuscripts they shall not receive much money for it. I believe many counties these examinations cost from \$150 to \$200 and \$250, on account of persons applying who do not intend to teach, and those who do intend to teach should not be burdened with this expense. So I hope the bill will not be ordered engrossed, but left open for amendment.

On motion by Mr. DAVIS the bill was amended by appropriately inserting a proviso that no such applicant shall be required to pay more than fifty cents in any one year.

Mr. OVERSTREET: The present law still remains in force and there is nothing to prevent the County Superintendent from drawing all allowed under Section 4321 of the Revision, and also get all the teachers may pay him. If this bill is passed to raise a fund for the teachers, this section, 4321, ought to be repealed or the County Superintendent will get both funds.

Mr. DUNCAN, of Brown: I understand this fund to be carried by this bill is intended to assist in carrying on other institutes that occur in the county. The law at present does not provide a sufficient fund for the purpose of carrying on county institutes, and this bill is for the purpose of creating a fund to supply the deficiency, and instead of taking an additional amount out of the County Treasury it provides that those applying for teacher's license shall pay this fund.

Mr. CAMPBELL, of St. Joseph: I don't see anything in the bill that contemplates an expenditure for township institutes. I apprehend it is intended to furnish, as the title says, and additional fund for county institutes.

Mr. BROWN: If there is any fund left over after paying the expenses of county institutes, it shall be held for the purpose of holding township institutes. The bill is intended to prevent any further expense in the county for holding county institutes.

CITY FARM TAX.
Mr. Bahr's bill (S. 174) to repeal section 3,261 R. S. 1883, coming up on the second reading.

Mr. CAMPBELL, of St. Joseph, moved to amend by providing that such tracts where the school moneys are loaned at 6 per cent. be assessed the same as other city property, otherwise to pay school and road tax only. He said: My amendment is predicated upon the idea that these lands of more than five acres in extent which are situated within the corporate limits of cities and towns should only be taxed the same as lands within the civil township in which they are situated that lie side by side, except that lands within the corporation should be required to pay tax for school purposes; the same as lands in the civil township except

they should pay for school purposes as lands in the city. My observation is that faras contiguous to cities are brought in the corporation limits principally for purposes of taxation, and often for the purpose of increasing the population to such an extent that they may be incorporated as cities. Repeal section 3,261 and these lands within corporate cities will pay exactly the same as is now the city property.

Mr. SMITH, of Jay: I cannot comprehend why such property should not bear its equal burden of taxation, not only for school purposes but for all other purposes. After arguing against the amendment while the order that the author of the bill may have been heard, he moved that the Senate adjourn.

The motion was agreed to.

HOUSE OF REPRESENTATIVES.

Tuesday, Feb. 3, 1885—10 a. m.

The session was opened with prayer by Rev. E. H. Staley, a Representative from the County of Clinton, as follows:
Our Father who art in Heaven, permit us this morning to thank thee for the day of our birth. In thee we have a Father and a friend. Bless us, we pray thee. As we have assembled, prepare us for this day, and qualify us for its duties, and for all that is to come up before us. Give us grace as Thou seest we need. Enable us in all we do to glorify Thee, O God our Father. Bless the people of Indiana and the people of the United States, and all in authority over us. Guide us, we pray thee, with Thy counsel, and finally accept us for Christ's sake, Amen.

GENERAL APPROPRIATIONS.

The House resumed the consideration of the bill (H. R. 357) making appropriations for the State Government, which was pending at the adjournment yesterday.

Mr. FLEES offered an amendment which was adopted, providing that the sum of \$3,000 shall be appropriated in order to erect tablets marking the positions occupied by the soldiers of the State in the battle of Gettysburg, the money to be expended under the direction of the Governor, Lieutenant Governor, Adjutant General and five members of the said regiment.

Mr. McMULLIN moved to amend by striking from the bill the appropriation of \$400 to the State Horticultural Association. He asked if any member on the floor can tell what benefit this association has been to the State. Members of that Horticultural Board come up to Indianapolis to have a good time, and in this money to pay their hotel bills and their traveling expenses.

Mr. ENGLISH: I think instead of making this appropriation \$500 I ought to be made \$2,000. There is no association in the State to-day that is doing more for the horticultural interest than this society. It is encouraging the cultivation of fruits and vegetables, and place it alongside this \$400. This is a very small and very insignificant sum compared with the great results which have already come to the entire people of the State. I hope this appropriation will be made—on behalf of the agricultural people of the State, I hope it will be made.

Mr. PATTER: I think I can coincide with everything said by the gentleman from Putnam (Mr. Gordon.) Now you go into the orchards and you will find decay. The State Board of Horticulture have destroyed our orchards, they have destroyed our vineyards and small fruits in the State of Indiana. In other words, they have attempted to introduce fruits that could not stand the climate of the State of Indiana.

Mr. MOODY: It certainly seems to me that when any member says that any part of this \$400 has been used for traveling expenses and hotel bills that it is certainly unfounded. The purpose of this appropriation is to encourage the cultivation of fruits and vegetables, and what kind of fruits are hardy and most adapted to the climate of the State. Unless it be to increase the appropriation of \$400 I hope the motion to reconsider will be lost.

Mr. McMULLIN: I think the gentleman from DeKalb (Mr. Moody) misunderstood me. I said I wished the committee to show me where one single dollar of that amount had gone. If he had shown where the money had gone, that it had been spent for the benefit of the State of Indiana, it would be different. I say I want to know more about it.

Mr. DEEM: The gentleman wants to know how this money has been appropriated. I would say that these gentlemen composing the Horticultural Society Board have not spent this money in traveling and paying hotel expenses. They have not met here in the city of Indianapolis alone, but on the other hand if you make an examination you will find that they have circulated throughout the State. I believe the last time they met they met at Winchester. Now, as to how this money has been spent, it has been spent for the best interest of the State. They have placed this year upon the desk of each member a beautifully bound volume. This one is worth \$1, and if the members will examine that volume they will find it to be of incalculable value to all persons engaged in raising fruit, whether it be apples or small fruit, for it shows what fruits are best suited to the State. These volumes are distributed to all those who are engaged in horticultural pursuits. If the gentleman from Dearborn (Mr. McMullen) desires to plant an orchard he will find it a complete treasure. He will find what fruits are hardy and what fruits are adapted to the climate. It is of the greatest importance to the people of the State, and I am in regard to this matter. I hope the motion to reconsider will prevail.

Mr. GORDON: I am not in favor of this association because I do not think it is of any benefit to the State. Because there has been appropriations in no argument in favor of continuing them. I have not a very high regard for precedents unless they are in the right direction. If we are going to take precedents it will prevent reform. Precedent is a most dangerous thing if you can't place any thing better than precedent. Let us plead a little common sense. We have a Woolgrowers' Association in the State, and we have an Agricultural Society, and a Horticultural Society, and a Beekeepers' Society, and we are entitled to consideration at the hands of this Legislature; not only that, but we have a tile makers' association in the State, and on the ground of precedent you must make an appropriation to the tile-makers' association, and where are we going to end with this thing? I know in speaking in this way I speak against some of my countrymen. I am not fair to treat one association different from another.

Mr. ROBINSON: It is exceedingly refreshing for the gentlemen of the legal profession to withdraw from the close confinement of their office and go into the country to rusticate. Other States have given their support to horticultural societies—States that rank far above Indiana in the production of fruits. This appropriation is but a small amount. I do not undertake to say that the gentlemen will see in return large sums of money flowing directly from the Horticultural Society into the State Treasury, but by the proper education in horticulture and cultivating the feeling in this direction among the people, and stirring them up on this subject, I believe the State will realize largely in excess of the small pittance given to this association. I believe we ought every year to give some encouragement to horticulture. I am opposed to reconsidering the vote.

Mr. CORY: I am in favor of the proposition to reconsider the vote by which \$400 were appropriated to the State Horticultural Society. Not that we may be able to strike out, but that we may be making the appropriation \$500 instead of \$400. I am surprised to hear gentlemen argue that this appropriation is to no purpose. My friend from Putnam argues that if we appropriate to this association we will be called upon to appropriate for the tile-makers and kindred associations. My friend should remember that the tile-makers are very few in number and organized solely to make their business profitable to themselves. On the other hand the Horticultural Society is composed largely of men who give of their time and money to promote the interests of a science which properly developed must benefit every man, woman and child in the State. I heard long ago of the man who didn't care a continental whether the wheat crop was good—because he bought his bread at the bakery's—but I have heard for the first time to-day, and in this discussion, that we should ignore the Horticultural Society, because we purchase our orchard and garden seeds from street peddlers. Some of these men have spent their lives in this favorite field of study, and all that they know they give to us in their reports, to properly publish their reports and pay the officer for preparing them and encourage scientific investigation on this line, I am willing to vote twice the amount named.

Mr. COLELAND: I hope it will not delay the purpose of the amendment, whatever it may be. I hope it will be increased rather than decreased. What I have to say in regard to this matter is the interest of a growing industry in the southern part of the State particularly. That is the grape culture. Throughout the entire southern part of the State there is a decided tendency to develop the culture of the grape. In the last two years in the experience of the Horticultural Society through this department, the interests of this industry have prospered, and in behalf of the grape culture in the southern part of the State, I say I hope the members will not lose sight of the importance that this society has assumed to this industry, and place it alongside this \$400. This is a very small and very insignificant sum compared with the great results which have already come to the entire people of the State. I hope this appropriation will be made—on behalf of the agricultural people of the State, I hope it will be made.

Mr. PATTER: I think I can coincide with everything said by the gentleman from Putnam (Mr. Gordon.) Now you go into the orchards and you will find decay. The State Board of Horticulture have destroyed our orchards, they have destroyed our vineyards and small fruits in the State of Indiana. In other words, they have attempted to introduce fruits that could not stand the climate of the State of Indiana.

Mr. MOODY: It certainly seems to me that when any member says that any part of this \$400 has been used for traveling expenses and hotel bills that it is certainly unfounded. The purpose of this appropriation is to encourage the cultivation of fruits and vegetables, and what kind of fruits are hardy and most adapted to the climate of the State. Unless it be to increase the appropriation of \$400 I hope the motion to reconsider will be lost.

Mr. McMULLIN: I think the gentleman from DeKalb (Mr. Moody) misunderstood me. I said I wished the committee to show me where one single dollar of that amount had gone. If he had shown where the money had gone, that it had been spent for the benefit of the State of Indiana, it would be different. I say I want to know more about it.

Mr. DEEM: The gentleman wants to know how this money has been appropriated. I would say that these gentlemen composing the Horticultural Society Board have not spent this money in traveling and paying hotel expenses. They have not met here in the city of Indianapolis alone, but on the other hand if you make an examination you will find that they have circulated throughout the State. I believe the last time they met they met at Winchester. Now, as to how this money has been spent, it has been spent for the best interest of the State. They have placed this year upon the desk of each member a beautifully bound volume. This one is worth \$1, and if the members will examine that volume they will find it to be of incalculable value to all persons engaged in raising fruit, whether it be apples or small fruit, for it shows what fruits are best suited to the State. These volumes are distributed to all those who are engaged in horticultural pursuits. If the gentleman from Dearborn (Mr. McMullen) desires to plant an orchard he will find it a complete treasure. He will find what fruits are hardy and what fruits are adapted to the climate. It is of the greatest importance to the people of the State, and I am in regard to this matter. I hope the motion to reconsider will prevail.

Mr. GORDON: I am not in favor of this association because I do not think it is of any benefit to the State. Because there has been appropriations in no argument in favor of continuing them. I have not a very high regard for precedents unless they are in the right direction. If we are going to take precedents it will prevent reform. Precedent is a most dangerous thing if you can't place any thing better than precedent. Let us plead a little common sense. We have a Woolgrowers' Association in the State, and we have an Agricultural Society, and a Horticultural Society, and a Beekeepers' Society, and we are entitled to consideration at the hands of this Legislature; not only that, but we have a tile makers' association in the State, and on the ground of precedent you must make an appropriation to the tile-makers' association, and where are we going to end with this thing? I know in speaking in this way I speak against some of my countrymen. I am not fair to treat one association different from another.

Mr. ROBINSON: It is exceedingly refreshing for the gentlemen of the legal profession to withdraw from the close confinement of their office and go into the country to rusticate. Other States have given their support to horticultural societies—States that rank far above Indiana in the production of fruits. This appropriation is but a small amount. I do not undertake to say that the gentlemen will see in return large sums of money flowing directly from the Horticultural Society into the State Treasury, but by the proper education in horticulture and cultivating the feeling in this direction among the people, and stirring them up on this subject, I believe the State will realize largely in excess of the small pittance given to this association. I believe we ought every year to give some encouragement to horticulture. I am opposed to reconsidering the vote.

Mr. CORY: I am in favor of the proposition to reconsider the vote by which \$400 were appropriated to the State Horticultural Society. Not that we may be able to strike out, but that we may be making the appropriation \$500 instead of \$400. I am surprised to hear gentlemen argue that this appropriation is to no purpose. My friend from Putnam argues that if we appropriate to this association we will be called upon to appropriate for the tile-makers and kindred associations. My friend should remember that the tile-makers are very few in number and organized solely to make their business profitable to themselves. On the other hand the Horticultural Society is composed largely of men who give of their time and money to promote the interests of a science which properly developed must benefit every man, woman and child in the State. I heard long ago of the man who didn't care a continental whether the wheat crop was good—because he bought his bread at the bakery's—but I have heard for the first time to-day, and in this discussion, that we should ignore the Horticultural Society, because we purchase our orchard and garden seeds from street peddlers. Some of these men have spent their lives in this favorite field of study, and all that they know they give to us in their reports, to properly publish their reports and pay the officer for preparing them and encourage scientific investigation on this line, I am willing to vote twice the amount named.

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Mr. COLELAND: I hope it will not delay the purpose of the amendment, whatever it may be. I hope it will be increased rather than decreased. What I have to say in regard to this matter is the interest of a growing industry in the southern part of the State particularly. That is the grape culture. Throughout the entire southern part of the State there is a decided tendency to develop the culture of the grape. In the last two years in the experience of the Horticultural Society through this department, the interests of this industry have prospered, and in behalf of the grape culture in the southern part of the State, I say I hope the members will not lose sight of the importance that this society has assumed to this industry, and place it alongside this \$400. This is a very small and very insignificant sum compared with the great results which have already come to the entire people of the State. I hope this appropriation will be made—on behalf of the agricultural people of the State, I hope it will be made.

Mr. PATTER: I think I can coincide with everything said by the gentleman from Putnam (Mr. Gordon.) Now you go into the orchards and you will find decay. The State Board of Horticulture have destroyed our orchards, they have destroyed our vineyards and small fruits in the State of Indiana. In other words, they have attempted to introduce fruits that could not stand the climate of the State of Indiana.

Mr. MOODY: It certainly seems to me that when any member says that any part of this \$400 has been used for traveling expenses and hotel bills that it is certainly unfounded. The purpose of this appropriation is to encourage the cultivation of fruits and vegetables, and what kind of fruits are hardy and most adapted to the climate of the State. Unless it be to increase the appropriation of \$400 I hope the motion to reconsider will be lost.

Mr. McMULLIN: I think the gentleman from DeKalb (Mr. Moody) misunderstood me. I said I wished the committee to show me where one single dollar of that amount had gone. If he had shown where the money had gone, that it had been spent for the benefit of the State of Indiana, it would be different. I say I want to know more about it.

Mr. DEEM: The gentleman wants to know how this money has been appropriated. I would say that these gentlemen composing the Horticultural Society Board have not spent this money in traveling and paying hotel expenses. They have not met here in the city of Indianapolis alone, but on the other hand if you make an examination you will find that they have circulated throughout the State. I believe the last time they met they met at Winchester. Now, as to how this money has been spent, it has been spent for the best interest of the State. They have placed this year upon the desk of each member a beautifully bound volume. This one is worth \$1, and if the members will examine that volume they will find it to be of incalculable value to all persons engaged in raising fruit, whether it be apples or small fruit, for it shows what fruits are best suited to the State. These volumes are distributed to all those who are engaged in horticultural pursuits. If the gentleman from Dearborn (Mr. McMullen) desires to plant an orchard he will find it a complete treasure. He will find what fruits are hardy and what fruits are adapted to the climate. It is of the greatest importance to the people of the State, and I am in regard to this matter. I hope the motion to reconsider will prevail.

Mr. GORDON: I am not in favor of this association because I do not think it is of any benefit to the State. Because there has been appropriations in no argument in favor of continuing them. I have not a very high regard for precedents unless they are in the right direction. If we are going to take precedents it will prevent reform. Precedent is a most dangerous thing if you can't place any thing better than precedent. Let us plead a little common sense. We have a Woolgrowers' Association in the State, and we have an Agricultural Society, and a Horticultural Society, and a Beekeepers' Society, and we are entitled to consideration at the hands of this Legislature; not only that, but we have a tile makers' association in the State, and on the ground of precedent you must make an appropriation to the tile-makers' association, and where are we going to end with this thing? I know in speaking in this way I speak against some of my countrymen. I am not fair to treat one association different from another.

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